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4 REX WARNER,
5 Plaintiff,
6 v.
7 SIMS METAL MANAGEMENT LIMITED,
8 Defendant.

9 Case No. 13-cv-02190-JD
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13 **ORDER OF DISMISSAL**
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15 The Court having been advised that the parties have agreed to a settlement of this cause, **IT IS**
16 **HEREBY ORDERED** that this cause of action is dismissed **without** prejudice; provided,
17 however that if any party hereto shall certify to this court, within sixty (60) days, with proof of
18 service thereof, that the agreed consideration for said settlement has not been delivered over, the
foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be
set for trial.

19 If no certification is filed, after passage of sixty (60) days, the dismissal shall be **with** prejudice.

20 Dated: November 12, 2014

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23 JAMES DONATO
24 United States District Judge
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